



MICHIGAN DEPARTMENT OF  
ENVIRONMENT, GREAT LAKES, AND ENERGY



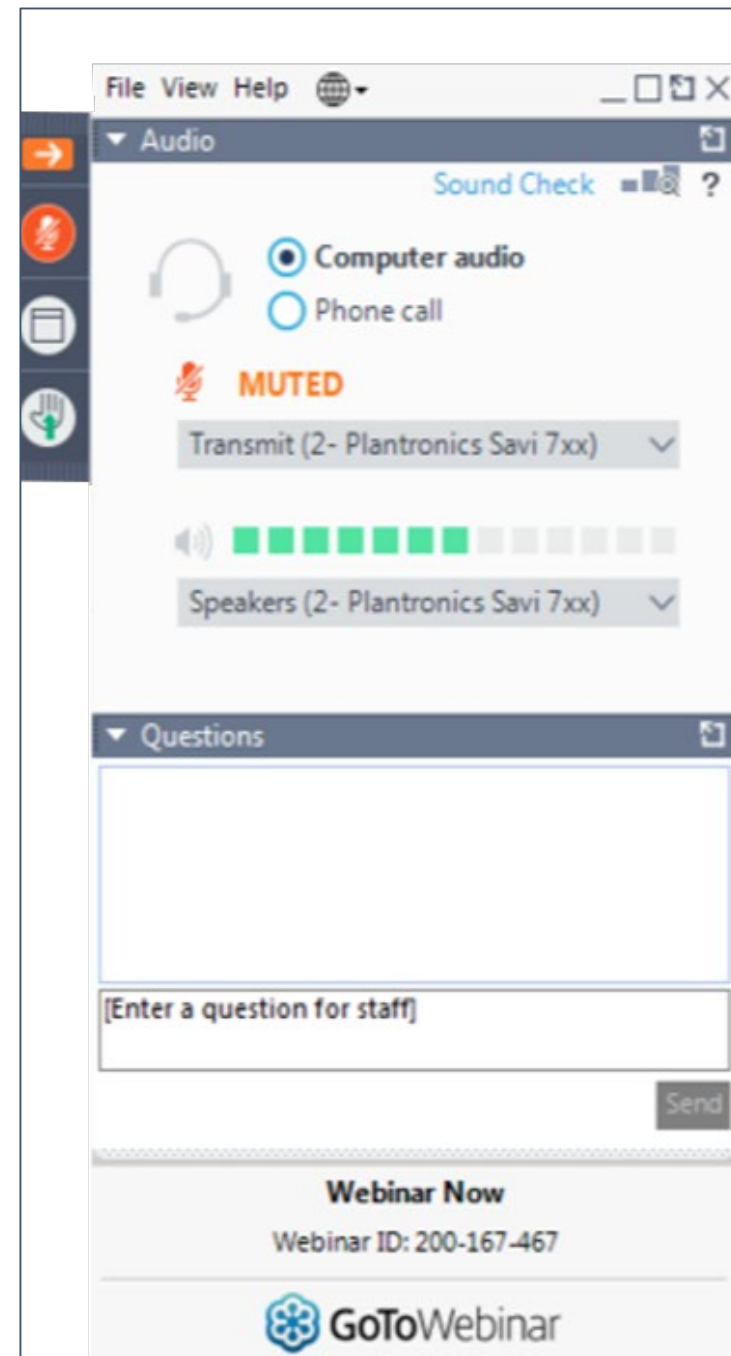
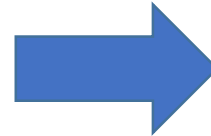
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CLEAN ENERGY & ENERGY MANAGEMENT WEBINAR SERIES

# The Michigan Energy Code Adoption Process

Have a question?

Use the “Questions” function to pose questions throughout the webinar.



# Today's Speakers

- Energy Code Basics: Jake Wilkinson, EGLE
- The Michigan Energy Code: Jon Paradine, LARA
- The Code Update Process: Tony Snyder, LARA
- Going Deeper: Missy Stults, City of Ann Arbor



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# Energy Code Basics

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Jake Wilkinson

EGLE Energy Services

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# What is the Energy Code?

- Energy Codes are a set of rules that govern the energy use of a building through required building practices & components
- Minimum Energy Efficiency Requirements
  - “Worst home that can legally be built”
- National Model Codes developed by International Code Council (ICC) and ASHRAE
  - Updated every 3 years (level of improvement varies)
  - Current editions released in 2016 (ASHRAE) and 2018 (ICC)
- States/Municipalities Adopt and Enforce the Code

# Purview of the Code



## Residential Code

- 3 stories or less
- Residential use



## Commercial Code

- All non-residential buildings
- Residential buildings over 3 stories



## Both Codes apply to

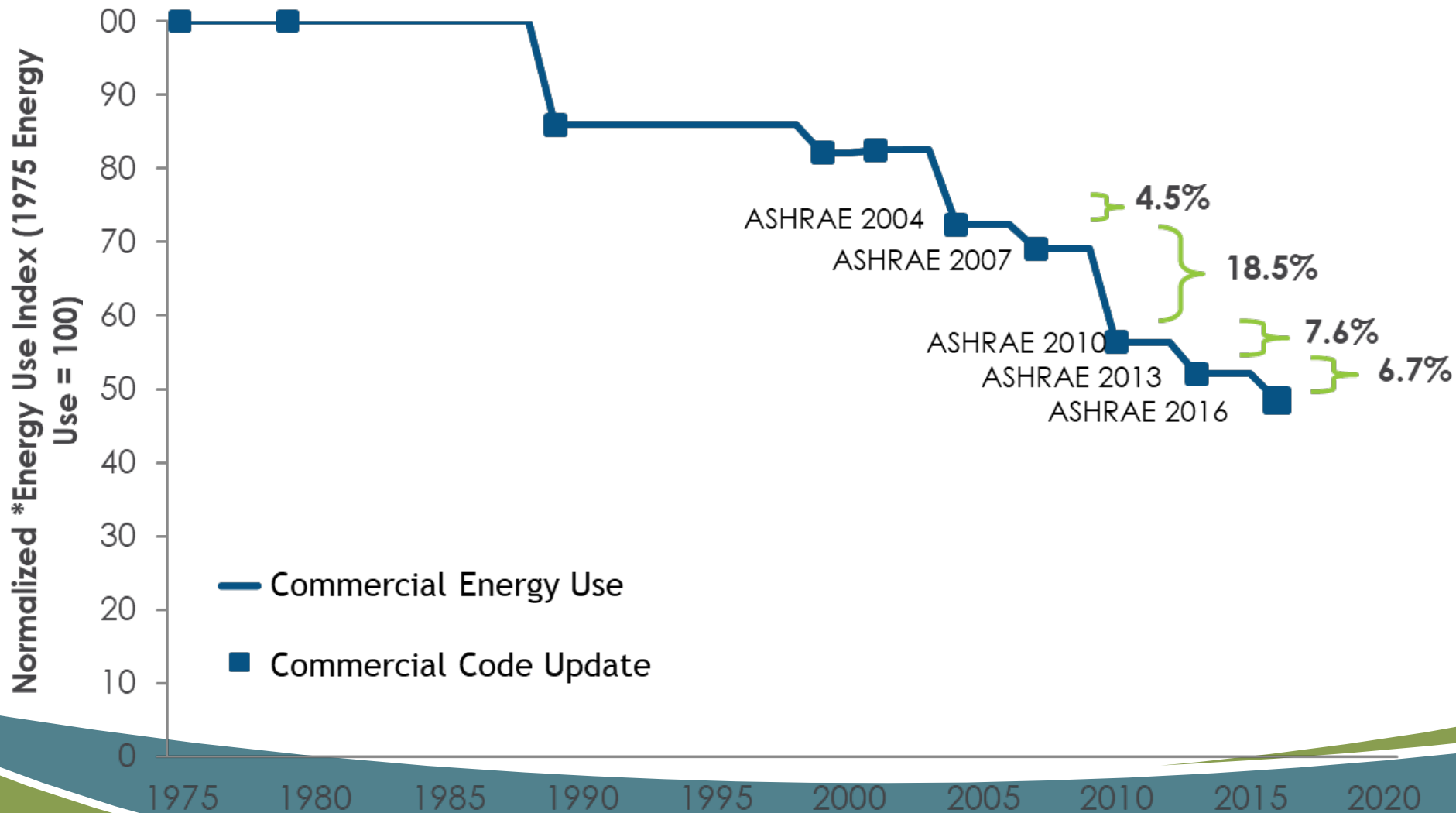
- New Construction
- Existing Buildings - additions and major alterations
  - Several exceptions, including historic buildings and minor repairs

# History of Energy Codes

- First codes established in 1975
- Energy codes, like all other building codes, are life safety codes
  - Similar to a roofing code requirements that keep the interior dry, the energy code regulates indoor temperature and humidity
- Codes have improved over time, with new codes being more than 50% more efficient than the first codes

# Commercial Building Energy Code

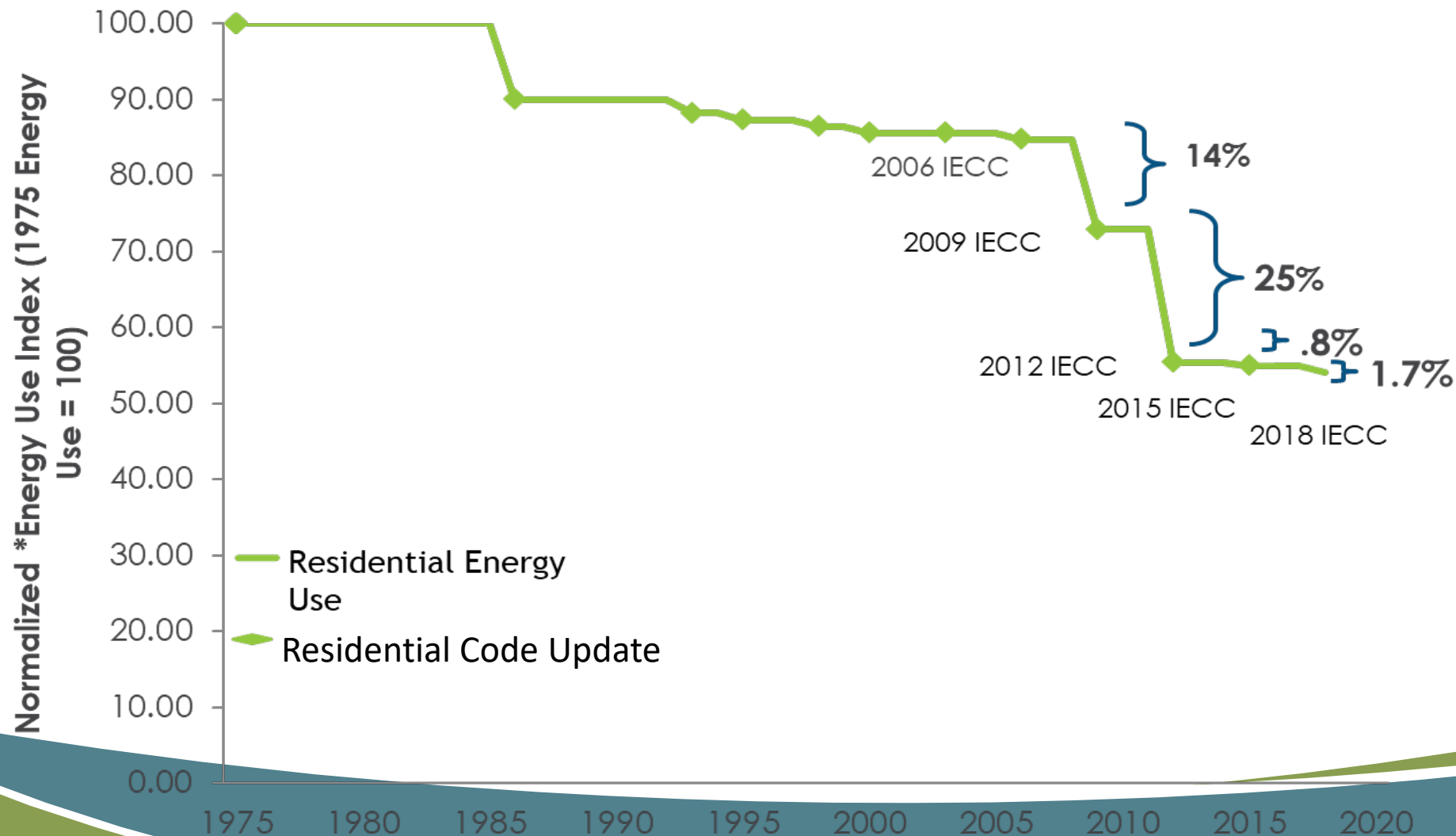
*Efficiency Improvements (1975-2018)*



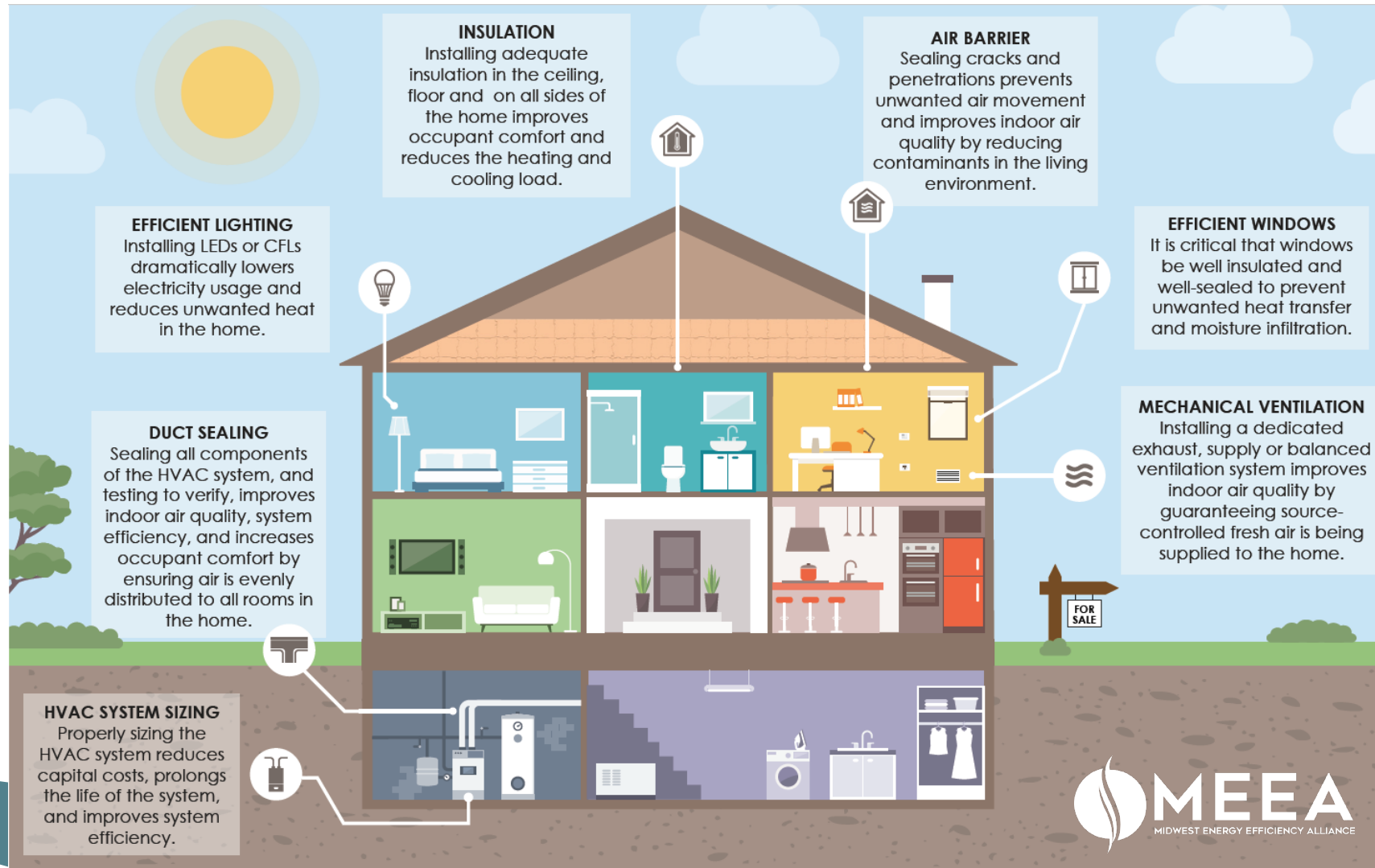


# Residential Building Energy Code

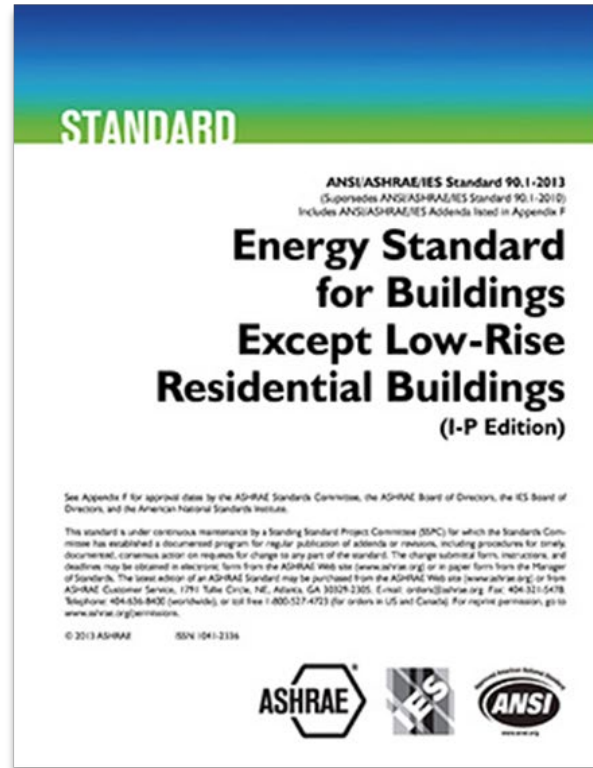
## *Efficiency Improvements (1975-2018)*



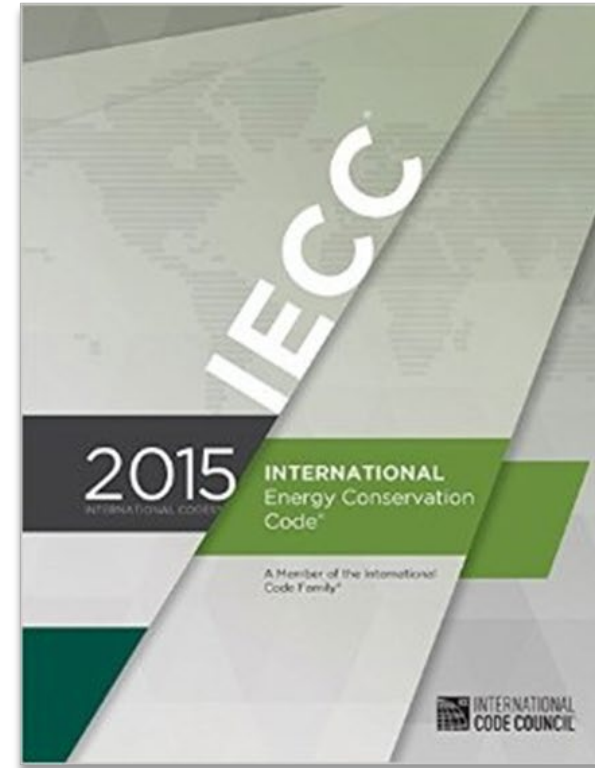
# Key Energy Code Components



# Model Building Energy Codes



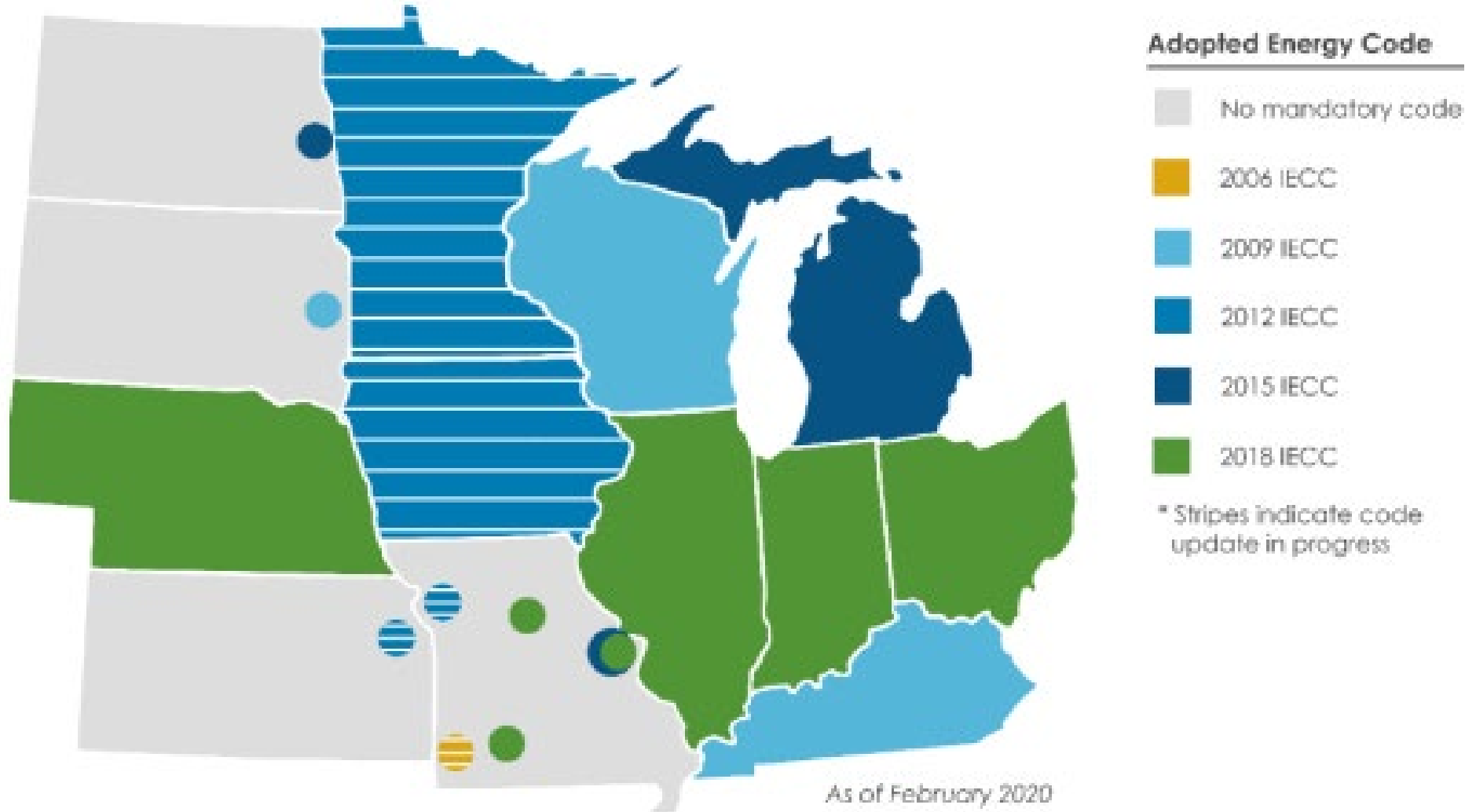
ASHRAE Standard 90.1



International Energy Conservation Code

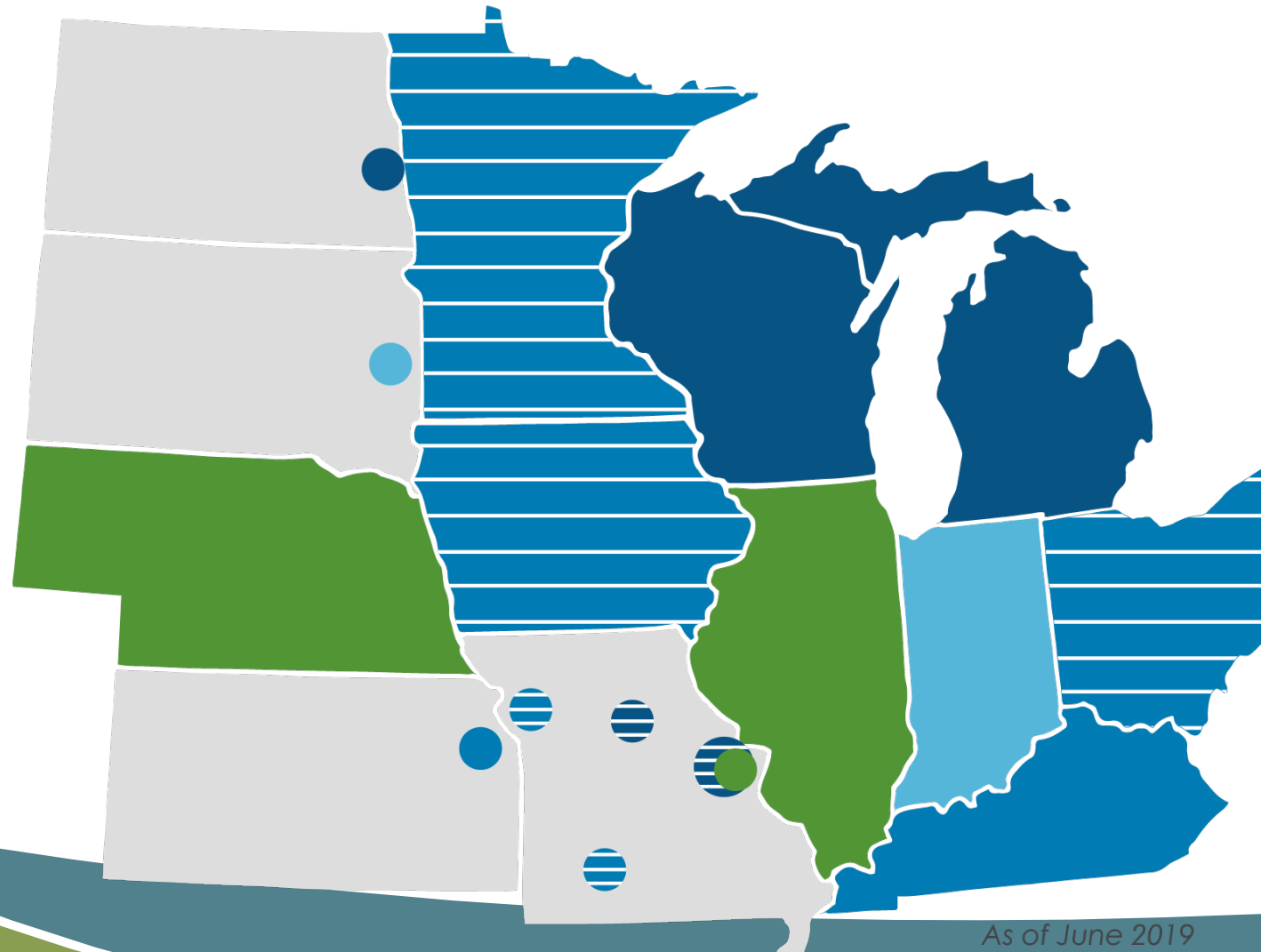
# Codes in the Midwest<sup>+</sup>

## *Residential Buildings*



# Codes in the Midwest

## *Commercial Buildings*



### Adopted Energy Code

■ No mandatory code

■ 2009 IECC

■ 2012 IECC

■ 2015 IECC

■ 2018 IECC

\* Stripes indicate code update in progress

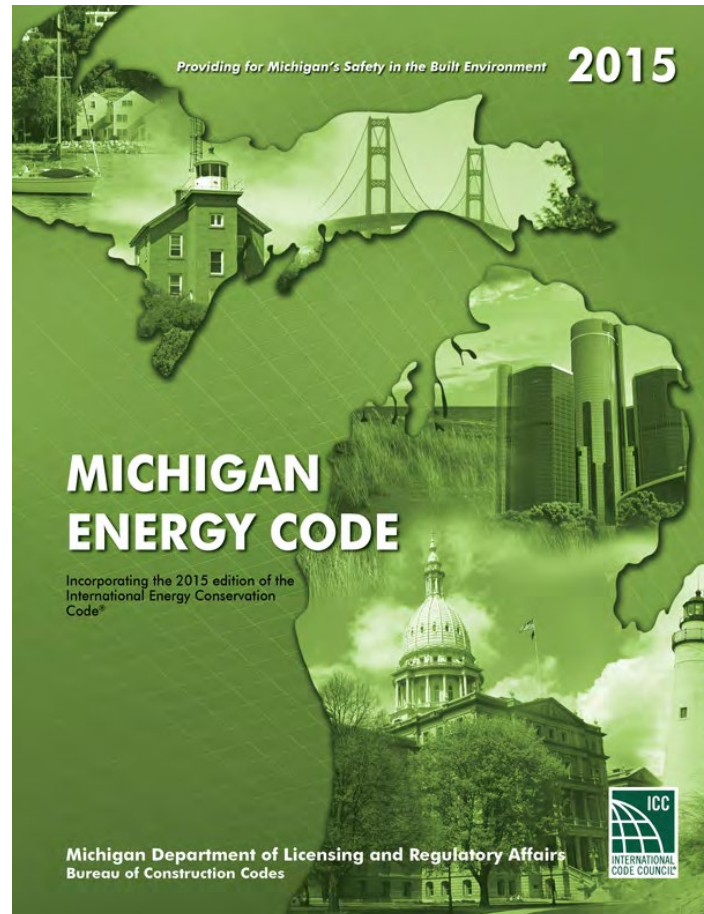
Department of Licensing & Regulatory Affairs  
Bureau of Construction Codes

Jonathon Paradine, Building Division Chief

***The Michigan Energy Code***



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# History

- All units of government who administer and enforce a construction code are required to use the rules promulgated under 1972 PA 230, the State Construction Code Act.
- Amendments to the Construction Code Rules (Michigan Energy Code) took effect September 20, 2017.
- The year of 1999 is when the State of Michigan began using the International Codes as the basis for the Michigan codes.



## Applicable code

- The Michigan Energy code is broken down into 2 sections:
  - Commercial provisions
  - Residential provisions
- The commercial code has 5 chapters and the residential has 1 chapter

# Commercial Code

## 1. **Scope and application**

where it is used and the inspection/enforcement requirements.

## 2. **Definitions**

Example: **GREENHOUSE**. A structure or a thermally isolated area of a building that maintains a specialized sunlit environment exclusively used for, and essential to, the cultivation, protection or maintenance of plants.

## 3. **General Requirements**

## 4. **Commercial Energy Efficiency**

## 5. **Existing Buildings**

# Residential Code

- Chapter 1 Energy Efficiency.
- The information at the beginning is roughly the same as commercial.
- All of the residential portion of the Michigan energy code is also in chapter 11 of the 2015 Michigan Residential Code.

# Maintenance



The International Energy Conservation Code is kept up to date through the review of proposed changes submitted by code enforcing officials, industry representatives, design professionals and other interested parties. **Proposed changes are carefully considered through an open code development process in which all interested and affected parties may participate.** The contents of this work are subject to change through both the code development cycles and the governmental body that enacts the code into law.

# Anthony Snyder, Bureau Attorney

1. **Statutory Authority**
2. **Code/Rule Promulgation Process**
3. **How To Get Involved**



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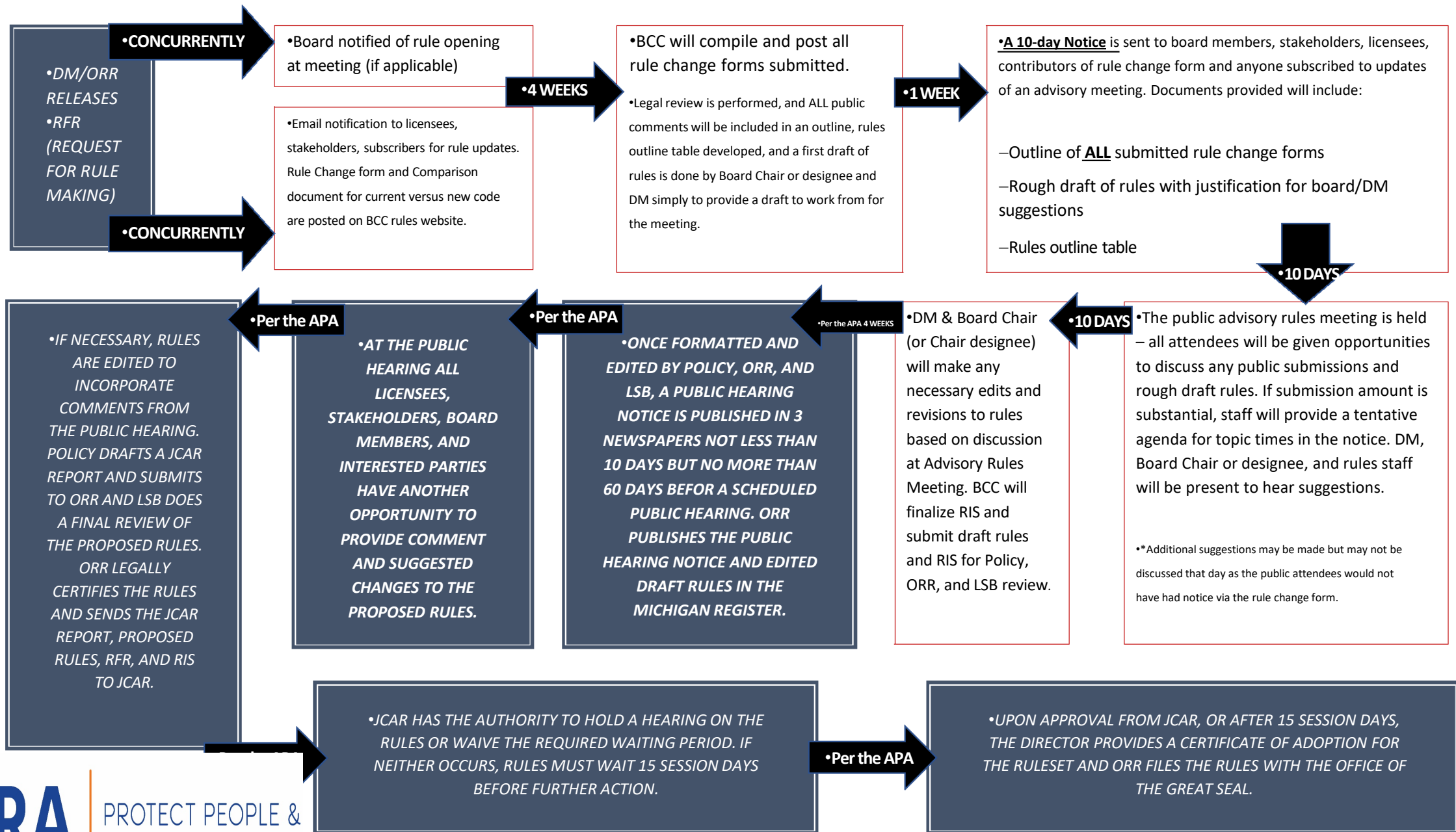
# Code/Rule Promulgation Process

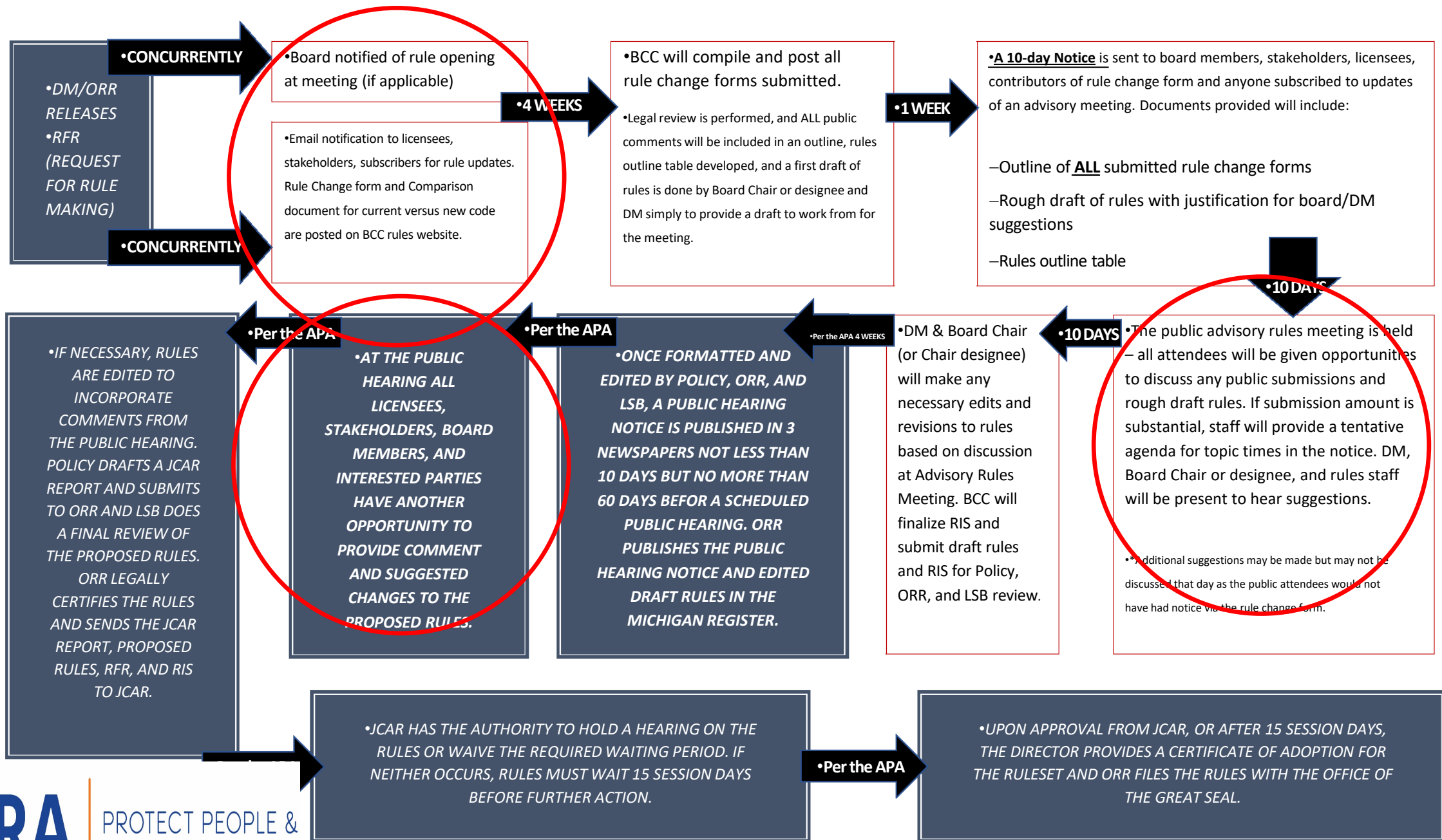
## The Michigan Administrative Procedures Act (APA)

- **APA Rule Activity**
  - Request for Rulemaking Authority (RFR)
  - Draft Rule Language (Strike & Bold)
  - Regulatory Impact Statement (RIS)
  - Public Hearing (Notification)



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## •PROPOSED RULE (CODE) CHANGE REQUEST

•Michigan Department of Licensing and Regulatory Affairs  
Bureau of Construction Codes/Administrative Services Division  
PO Box 30254, Lansing, MI 48909  
Phone (517) 241-9303  
Fax (517) 373-8547

		ACTION:	
DATE:			
NAME:		R E P R E S E N	
•RULE/CODE SECTIONS/TABLES/FIGURES PROPOSED FOR REVISION (Note: If the proposal is for a new section, indicate "new")			
ADDRESS:		C	STATE:
•PROPOSED LANGUAGE: Show proposed text in accordance with the following format: Strikeout/ <b>Bold &amp; underline proposed</b> added text			Zi
PHONE:			
F A K		E M A	
•REASON: Thoroughly explain the need and reason for the proposed change per the Administrative Procedures Act of 1969 PA 306, MCL 24.245 to include the following:			
<ul style="list-style-type: none"><li>•Identify the problem.</li><li>•Explain the rationale for the proposed change.</li><li>•Describe the environmental impact.</li><li>•Is the proposed change comparable to federal rules or national or regional standards in similarly situated states, based upon geographic location, topography, natural resources, commonalities, or economic similarities? If the proposed change exceeds standards in those states, explain why and specify costs and benefits.</li><li>•Identify individuals and groups affected by the proposed change and the impact on these groups.</li><li>•Are there any reasonable alternatives to the proposed change? If so, please provide those alternatives.</li><li>•What is the fiscal impact for the proposed change? Provide a cost/benefit analysis.</li><li>•Estimate the actual statewide compliance costs of the proposed rule.</li><li>•What are the primary and direct benefits of the rule?</li><li>•Estimate any cost increases or reductions to businesses, individuals, groups, or governmental units as a result of the rule.</li></ul> <p>•As well as any other information appropriate to assist with a clear understanding of the issue. During the rulemaking process, the need and reasonableness of all proposed rule changes must be identified; therefore, a detailed explanation is necessary to ensure the general public understands all aspects of the proposal. Failure to explain the need and rationale for the proposal in accordance with MCL 24.245, may result in the proposal not meeting justification and merit.</p>			



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# Code/Rule Promulgation Process

- **Justification for code/rule change**
  - -Identify the problem.
  - -Explain the rational for the proposed change.
  - -Describe the environmental impact.
  - -Is the proposed change comparable to federal rules or national or regional standards in similarly situated states, based upon geographic location, topography, natural resources, commonalities, or economic similarities? If the proposed change exceeds standards in those states, explain why and specify costs and benefits.
  - -Identify individuals and groups affected by the proposed change and the impact on these groups.
  - -Are there any reasonable alternatives to the proposed change? If so, please provide those alternatives.
  - -What is the fiscal impact for the proposed change? Provide a cost/benefit analysis.
  - -Estimate the actual statewide compliance costs of the proposed rule.
  - -What are the primary and direct benefits of the rule?
  - -Estimate any cost increases or reductions to businesses, individuals, groups, or governmental units as a result of the rule.



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# Code/Rule Promulgation Process

- **How to get involved?**
  - Awareness of administrative rules and codes
  - Subscribe to specific rule sets when opened at [LARA-BCC-Rules@michigan.gov](mailto:LARA-BCC-Rules@michigan.gov)
  - Sign up or update subscriber preferences



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# Jurisdictional Authority

- Bureau of Construction Codes [Website](#)
- [Statewide](#) Jurisdiction List
- Enforcing Agency
  - County (county building department)
  - Local (city, township, or village building department)
  - State (bureau of construction codes)
  - Trades (building, electrical, mechanical, plumbing)
- Local [School Construction](#) Enforcement List



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# Questions?



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## CLEAN ENERGY & ENERGY MANAGEMENT WEBINAR SERIES

### Upcoming Webinars

- 10/22 Energy Benchmarking for Municipal Facilities
- Nov Catalyst Communities – Climate Academy Training I
- Nov Follow-up meeting on Energy Codes